

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
                                 Plaintiff, )  
                                  )  
                                  )  
                                 v. )                                 Case No. 10 CR 961  
                                  )  
                                  )  
VERNON CHAPMAN, )  
                                  )  
                                  )  
                                 Defendant. )

**MEMORANDUM ORDER**

This Court has received the Judge's Copy of a timely-filed hand-printed "Notice of Appeal" signed on October 13 by its preparer, defendant Vernon Chapman ("Chapman"), and received in the Clerk's Office on October 16.<sup>1</sup> At the time of sentencing Chapman, this Court followed its uniform practice of apprising him of (1) his right to appeal, (2) his right to the appointment of counsel under the Criminal Justice Act if he could not afford to retain counsel, (3) his right to have a notice of appeal prepared for him and (4) the 14-calendar-day limitation applicable to notices of appeal.

In this instance Chapman's filing does come within the 14-day limitation period. But the occasion for this sua sponte memorandum order is that he has also purported to sign for his trial attorney Bart Beals.<sup>2</sup> Because the Criminal Justice Act (8 U.S.C. § 3006(A)(c)) provides for the

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<sup>1</sup> Chapman's Certificate of Service reports October 14 as the date of "filing" for purposes of the "mailbox rule" (see Houston v. Lack, 487 U.S. 266 (1988)).

<sup>2</sup> Attorney Beals was the last of a whole series of members of the federal defender panel who represented Chapman during the life of this case, with all earlier appointees having withdrawn from representation or having been terminated at Chapman's request. Nothing in the current document reflects attorney Beals' consent to Chapman's signing on his behalf, nor does Chapman's attached Certificate of Service list attorney Beals among the persons to whom

(continued)

continuity of representation by appointed counsel through appeal, Chapman's pro se handling appears to be irregular (and perhaps unauthorized) and the record should be corrected promptly.



Milton I. Shadur  
Senior United States District Judge

Date: October 20, 2014

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(footnote continued)

Chapman sent copies of the notice of appeal (only the AUSA assigned to the case and the Clerk of Court were so listed).